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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 SAMUEL ST. JAMES and MA. CHARITO
12 L. ST. JAMES, doing business as St. James
Family Child Care,

13 Plaintiff,

14 vs.

15 STATE OF CALIFORNIA; CALIFORNIA
16 DEPARTMENT OF SOCIAL SERVICES
17 COMMUNITY CARE LICENSING
DIVISION; SHELLY HIGH; GLORIA
MERK; JO FREDERICK; and DOE'S 1
THRU 30, inclusive,

18 Defendant.


CASE NO. 08cv2043 - IEG - CAB

ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS PURSUANT
TO FED. R. CIV. P. 41 (Doc. No. 14)

19 Before the Court is Plaintiff's request to dismiss the action without prejudice pursuant to Fed.
20 R. Civ. P. 41(a)(1)(A)(i). Defendants have not filed an answer or a motion for summary judgment;
21 therefore, the case is DISMISSED WITHOUT PREJUDICE. The Clerk of Court is directed to close
22 the case.

23
24 **IT IS SO ORDERED.**

25
26 DATED: January 16, 2009

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28 IRMA E. GONZALEZ, Chief Judge
United States District Court